

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

This matter is before the court on the motion to extend the time for filing pretrial motions by defendant Fermin Altamirano-Ramirez (Altamirano-Ramirez) (Filing No. 57). The motion does not comply with NECrimR 16.2 and paragraph 9 of the Progression Order (Filing No. 21) in that the motion is not accompanied by the defendant's affidavit or declaration stating that defendant:

- (1) Has been advised by counsel of the reasons for seeking a continuance;  
(2) Understands that the time sought by the extension may be excluded from any calculation of time under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.; and  
(3) With this understanding and knowledge, agrees to the filing of the motion.

Accordingly, the motion (Filing No. 57) is :

- ( X ) Held in abeyance pending compliance with NECrimR 16.2 and Paragraph 9 of the Progression Order. Absent compliance **on or before February 27, 2012**, the motion will be deemed withdrawn and termed on the docket.

( ) Denied.

**IT IS SO ORDERED.**

DATED this 21st day of February, 2012.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge